

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:19-cv-00154

Raymond Bradley Roach,

Plaintiff,

v.

Maxey Cerliano et al.,

Defendants.

Before BARKER, *District Judge*

ORDER

On November 14, 2019, defendants moved for summary judgment. Doc. 40. On January 2, 2020, United States Magistrate Judge John D. Love issued a report and recommendation that the motion for summary judgment be granted, and that this action be dismissed without prejudice for failure to exhaust administrative remedies. Doc. 42. No objections were filed. Therefore, the court need only review the report and recommendation for clear error, abuse of discretion, or legal conclusions contrary to law. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989).

The court finds no clear error, abuse of discretion, or legal conclusions contrary to law in the report and recommendation. Accordingly, the report and recommendation (Doc. 42) is **adopted**. Defendants' motion for summary judgment (Doc. 40) is **granted**. This case is **dismissed without prejudice** for failure to exhaust administrative remedies, with each side to bear its own costs. Any outstanding motions are **denied as moot**. The clerk of court is **directed** to close this case.

So ordered by the court on March 30, 2020.



J. CAMPBELL BARKER
United States District Judge